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Arizona Corporation Commission

DOCKETED

BEFORE THE ARIZONA CORPORATION COMMISSION

APR 24 2001

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF
NORTHWEST PAYTELE COMMUNICATIONS,
INC. FOR THE CANCELLATION OF THE
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE CUSTOMER-OWNED
PAY TELEPHONE SERVICE IN THE STATE OF
ARIZONA.

DOCKET NO. T-03573A-01-0222

DECISION NO. 63581ORDER

Open Meeting
April 17 and 18, 2001
Phoenix, Arizona

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. Northwest Paytele Communications, Inc. ("Applicant") has a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona pursuant to Decision No. 61093 (August 26, 1998).

2. On March 13, 2001, Applicant filed with Docket Control of the Commission an application for approval of the cancellation of the Certificate, indicating that it no longer provides COPT service in the State of Arizona.

3. In Decision No. 55817 (December 10, 1987), the Commission found that COPT providers were public service corporations subject to the jurisdiction of the Commission.

4. Decision No. 57797 (April 8, 1992) adopted A.A.C. R14-2-901 through R14-2-909 to regulate COPT providers.

5. Decision No. 58535 (February 14, 1994) adopted a Generic Tariff that establishes rates and minimum service standards applicable to COPT service.

6. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT

1 Certificates without a hearing.

2 7. On March 16, 2001, the Commission's Utilities Division Staff ("Staff") filed a Staff
3 Report, recommending approval of the application to cancel Applicant's Certificate without a
4 hearing.

5 **CONCLUSIONS OF LAW**

6 1. Applicant is a public service corporation within the meaning of Article XV of the
7 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

8 2. The Commission has jurisdiction over Applicant and the subject matter of the
9 application.

10 3. The cancellation of Applicant's Certificate is in the public interest.

11 4. Staff's recommendation in Findings of Fact No. 7 is reasonable and should be
12 adopted.

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ORDER

IT IS THEREFORE ORDERED that the application of Northwest Paytele Communications, Inc. for the cancellation of the Certificate of Convenience and Necessity to provide customer-owned pay telephone service shall be, and is hereby, approved.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.



CHAIRMAN



COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 24th day of April, 2001.



BRIAN C. McNEIL
EXECUTIVE SECRETARY

DISSENT _____
SG:

SERVICE LIST FOR:

NORTHWEST PAYTELE COMMUNICATIONS, INC.

DOCKET NO.:

T-03573A-01-0222

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